REMARKS/ARGUMENTS

In the declaration, the inventors have acknowledged their duty to disclose information in accordance with 37 CFR §1.56. Accordingly, it is respectfully requested that the Examiner withdraw the objection to the declaration.

Claim 1 has been amended to incorporate claims 5, 7 and 8. Other independent claims have been amended to incorporate claim 5.

The Applicant reiterates the arguments submitted to the Examiner and respectfully submits that the claimed invention is patentable over the cited art. The Applicant further submits that the Examiner's rejection is improper for the following reasons.

In the Final Office Action, the Examiner has noted that neither *Kinjo* nor *Takemoto et al.* teach capturing an actual frame from a frame buffer (Final Office Action, page 7). However, the Examiner has alleged that it is well known to capture game presentation frames from a frame buffer (Final Office Action, page 8). Clearly, this assertion without any evidence that supports a motivation or suggestion in the prior art for capturing frames from the buffer in the context of the claimed invention is not enough to establish a prima facie case of obviousness.

Furthermore, it is respectfully submitted that the cited art does not teach or suggest capturing a game presentation actual frame from a frame buffer based on a capturing event corresponding to the outcome of a game (claim 1).

It is noted that *Kinjo* states:

> Comment information provided by a service trader also includes text data, image data of a still image and/or of animation, and sound data. Examples of data to be added, i.e., either composite or attached, are: data of a certain letter and an image, "Congratulations!" for instance, designed to mark a moment when a player conquers a specific scene of a game in progress; other text data and image data of advertisement provided by a service trader; player's achievement ranking data regarding conquest of a game or of a specific scene from the game which is created by referring to data accumulated in the database 28, for instance, "You are n-th member who has conquered this game!" or "You are ranked n-th!"; and data of a certificate mark intended to certify

that a player has conquered a game or a specific scene from the game. [Konjo Col. 7, lines 15-29]

However, contrary to the Examiner's assertion, it is respectfully submitted that providing "comment information" does not teach or suggest the claimed feature of: capturing a game presentation actual frame from a frame buffer based on a capturing event corresponding to the outcome of a game (claim 1).

Moreover, it is respectfully submitted that the cited art does not teach or suggest this feature. Accordingly, it is respectfully submitted that claim 1 is patentable over the cited art for this additional reason.

Based on the foregoing, it is submitted that the claims are patentably distinct over the cited art of record. Additional limitations recited in the independent claims or the dependent claims are not further discussed because the limitations discussed above are sufficient to distinguish the claimed invention from the cited art. Accordingly, Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner.

Applicant hereby petitions for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 500388 (Order No. IGT1P038X1). Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
BEYER WEAVER LLP

/RMahboubian/
Ramin Mahboubian
Reg. No. 44,890

P.O. Box 70250
Oakland, CA 94612-0250
(408) 255-8001